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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

BREONNA FLEMING, an individual,

Plaintiff,

vs.

SOMERSET ACADEMY OF NEVADA, dba  
SOMERSET ACADMEY OF LAS VEGAS, a  
Domestic Non-Profit Corporation,

Defendant(s).

CASE NO.: 2:22-cv-02111-CDS-VCF

**STIPULATED DISCOVERY PLAN AND  
SCHEDULING ORDER**

**SPECIAL SCHEDULING IS REQUESTED  
PURSUANT TO Civ. P. 26(f) and LR 26-1(b)**

All parties of record participated in the meeting required under Fed. R. Civ. P. 26(f), which was held on **April 28, 2023**. The parties request that the Discovery deadlines will run from the date of the 26(f) Conference which occurred on **April 28, 2023**.

Pursuant to Fed. R. Civ. P. 26(f) and LR 26-1, the parties do hereby stipulate to the following discovery plan and scheduling order:

1. **Initial Disclosures:** The parties will exchange initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1).

2. **Discovery Cut-Off Date(s):** The parties propose that discovery be completed by **April 30, 2024**. This timeline is defined by LR 26-1(b)(1) sets for completing discovery, but the parties remain open to extensions if the parties deem extensions necessary given the holidays and other consideration for this somewhat complex case.

1           4.       **Amending the Pleadings and Adding Parties:** The last day to file motions to amend  
2 pleadings or to add parties is **January 30, 2024**, which is not later than ninety (90) days prior to the close  
3 of discovery.

4           5.       **Fed. R. Civ. P. 26(a)(2) Disclosures (Experts):** The disclosure of experts and expert  
5 reports shall occur by **February 28, 2024**, which is not later than sixty (60) days before the discovery  
6 deadline. Disclosure of rebuttal experts and their reports shall occur by **March 28, 2024**, which is not later  
7 than thirty (30) days before the discovery deadline.

8           6.       **Dispositive Motions:** Dispositive motions may be filed no later than **May 28, 2024**, which  
9 is thirty (30) days after the discovery deadline. In the event that the discovery period is extended from the  
10 discovery cut-off date set forth in this Joint Discovery Plan and Scheduling Order, the date for filing  
11 dispositive motions shall be extended for the same duration, to be no later than thirty (30) days from the  
12 subsequent discovery cut-off date.

13           7.       **Pretrial Order:** The pretrial order shall be filed by **June 28, 2024**, which is not later than  
14 thirty (30) days after the date set for filing dispositive motions. In the event dispositive motions are filed,  
15 the date for filing the joint pretrial order shall be suspended until thirty (30) days after the decision of the  
16 dispositive motions or until further order of the Court. In the further event that the discovery period is  
17 extended from the discovery cut-off date set forth in this Joint Discovery Plan and Scheduling Order, the  
18 date for filing the joint pretrial order shall be extended in accordance with the time period set forth in this  
19 paragraph.

20           8.       **Fed. R. Civ. P. 26(a)(3) Disclosures:** The disclosures required by Fed. R. Civ. P. 26(a)(3),  
21 and any objections thereto, shall be included in the pretrial order.

22           9.       **Extensions or Modifications of the Discovery Plan and Scheduling Order:** In  
23 accordance with Local Rule 26-4, a stipulation or motion for modification or extension of this discovery  
24 plan and scheduling order and any deadline contained herein, must be made not later than twenty-one (21)  
25 days before the subject deadline.

26           10.       **Later Appearing Parties:** A copy of this discovery plan and scheduling order shall be  
27 served on any person served after it is entered or, if additional defendants should appear, within five (5)  
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1 days of their first appearance. This discovery plan and scheduling order shall apply to such later appearing  
2 party, unless the Court, on motion and for good cause shown, orders otherwise.

3 11. **Electronic Filing:** The attorneys of record in this matter are registered for electronic filing  
4 with this Court. Any documents electronically filed with this Court are deemed to be sufficiently served  
5 on the other party as of the date that the document is electronically filed with the Court.

6 12. **Electronic Information:** The parties do not at this time anticipate any issues about  
7 disclosures or discovery of electronically stored information, if any, including the form or forms in which  
8 it should be produced. The parties shall meet and confer and otherwise work in good faith with respect to  
9 the production of electronically stored information should any dispute arise.

10 13. **Emails.** The parties consent to service by Email. As a courtesy, the parties have agreed to  
11 “confirm” receipt of service by Email.

12 14. **Privileged or Protected Documents:** The parties do not know of any issues regarding  
13 claims of privilege or protection that need to be specifically addressed at this time.

14 15. **Settlement:** In compliance with LR 26-1(b)(7), settlement has been considered and  
15 discussed by the parties, as well as private mediation. The parties are continuing to evaluate the possibility  
16 of settlement.  
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